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March 16, 2023

VIA ECF

The Honorable Renee M. Bumb
U.S. District Court for the District of New Jersey
Mitchell H. Cohen Building
& U.S. Courthouse
4th & Cooper Streets
Camden, New Jersey 08101

**Re: Koons, et al. v. Reynolds, et al. - No.: 1:22-cv-07464
Siegel, et al. v. Platkin, et al. - No.: 1:22-cv-07463**

**SIEGEL PLAINTIFFS' SECOND SUPPLEMENTAL LETTER BRIEF IN
FURTHER SUPPORT OF THEIR MOTION FOR A PRELIMINARY
INJUNCTION**

Dear Judge Bumb:

We represent the Siegel Plaintiffs in the above referenced matter. Please accept this second supplemental letter brief in further opposition to Defendants' position on standing to challenge the handgun prohibitions in casinos.

Siegel Plaintiffs' are seeking leave to file the following documents:

(1) Declaration of Kenneth Armellino. The Armellino Dec. attaches the results of his Open Public Records Act ("OPRA") request to the Division of Gaming Enforcement ("Division"), which includes revealing email communications between the Division and the casinos.

(2) Supplemental Declaration of Daniel Schmutter. The Supplemental Schmutter Declaration attaches various publicly available documents and webpages which demonstrate the extremely close relationship between the Division and the casinos.

The emails attached to the Armellino Dec show that Division Director David Rebuck was in direct communication with Casino Association of New Jersey (“CANJ”) attorney Joseph Dougherty regarding both the language to be used with and the timing of the as-of-then not yet released CANJ statement on the so-called “independent” prohibition on handgun carry by the casinos.

Further, the documents attached to the Supplemental Schmutter Dec show that CANJ attorney Dougherty and his family are also long time business owners in Atlantic City, including owning a restaurant within the Resorts Casino Hotel which is run by CEO Mark Giannantonio, who is also President of the Casino Association of New Jersey (“CANJ”) and the same individual who signed the statement of the CANJ regarding the carry of guns in casinos.

Notably, Exhibit B to the Supplemental Schmutter Dec is a cover letter from Dougherty to the Casino Reinvestment Development Authority (“CRDA”) seeking site plan approval for a local Dougherty family business, Docks Oyster House. The Board of Directors of CRDA includes Defendant Attorney General Platkin, Gaming Enforcement Director David Rebuck, James Plousis, Chairman of the Casino Control Commission, and Lt. Governor Sheila Oliver.

Thus, the businesses of casino attorney Dougherty and his family require approvals from the very agency run by Attorney General Platkin, Gaming Enforcement Director David Rebuck, James Plousis, Chairman of the Casino Control Commission, and Lt. Governor Sheila Oliver.

Taken together, these documents show a shockingly close relationship between State officials and the casinos. This further draws into serious question the idea that the casinos have “independently” banned handguns from their premises.

Rather, this, along with Siegel Plaintiffs’ previous submission regarding the casino bailouts by the State, fundamental undermines Defendants’ position on traceability and redressability. The argument that there is an “independent” carry prohibition by the casinos cannot be taken seriously.

Respectfully submitted,

s/ Daniel L. Schmutter
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